

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

FILED: AUGUST 25, 2008

08CV4827

JUDGE DER-YEGHIAYAN

PAUL CONNER,

Plaintiff,

v.

**P.O. RODRIGUEZ and P.O. JOHN
DOE, individually,**

Defendants.

Case No.

MAGISTRATE JUDGE ASHMAN

Judge

AO

Magistrate Judge

Jury Demand

COMPLAINT AT LAW

Now Comes, the Plaintiff, Paul Conner, by and through his attorneys, Gregory E. Kulis & Associates, Ltd., and complaining against the Defendants, P.O. Rodriguez and P.O. John Doe, individually, as follows:

COUNT I-EXCESSIVE FORCE

1. This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff, and accomplished by acts and/or omissions of the Defendants.

2. Jurisdiction is based on Title 28 U.S.C. §1331 and §1343.

3. The Plaintiff, Paul Conner, at all relevant times, was a United States citizen and permanent resident of the State of Illinois.

4. The Defendants, P.O. Rodriguez and P.O. John Doe, were, at all relevant times, duly appointed officers of the Riverdale Police Department and at all relevant times, acting within their scope of employment and under color of law.

5. On or about March 9, 2008, the Plaintiff, Paul Conner, was with his grandmother.

6. The Defendants, P.O. Rodriguez and P.O. John Doe, came to the house based on an alleged anonymous call.

7. The Defendants, P.O. Rodriguez and P.O. John Doe, were informed by the Plaintiff's grandmother that everything was okay.

8. The Plaintiff, Paul Conner, exited the patio and was leaving the residence.

9. The Defendant, P.O. Rodriguez, yelled at the Plaintiff, Paul Conner, and started to chase him.

10. The Plaintiff, Paul Conner, was not committing a crime or breaking any laws.

11. The Plaintiff, Paul Conner, stopped running and put his hands up.

12. The Defendant, P.O. Rodriguez, physically and forcefully threw the Plaintiff, Paul Conner, to the ground, struck him in the face with his drawn gun, handcuffed him, and tazed him.

13. Defendant John Doe stood by and allowed this unreasonable use of force to occur.

14. The Plaintiff, Paul Conner, questioned the Defendants, P.O. Rodriguez and P.O. John Doe, as to why he was being stopped and the manner he was being treated.

15. The Plaintiff, Paul Conner, did nothing to provoke these actions.

16. The force used by the Defendants, P.O. Rodriguez and P.O. John Doe, was unreasonable, unnecessary, and excessive.

17. The actions of the Defendant P.O. Rodriguez, were done intentionally and with malice.

18. Due to the actions of the Defendant, P.O. Rodriguez, the Plaintiff, Paul Conner, was injured.

19. The actions of the Defendant, P.O. Rodriguez, violated the Plaintiff, Paul Conner's, Fourth Amendment Rights of the United States Constitution and were in violation of said rights protected by 42 U.S.C. §1983.

20. As a direct and proximate consequence of said conduct of the Defendant, P.O. Rodriguez, the Plaintiff, Paul Conner, suffered a violation of his constitutional rights, emotional anxiety, fear, extreme pain and suffering, as well as, future suffering and permanency.

Wherefore, the Plaintiff, Paul Conner, prays for judgment in his favor and against the Defendants, P.O. Rodriguez and P.O. John Doe, jointly and severally, in an amount in excess of Thirty Thousand Dollars (\$30,000.00) in compensatory damages and Twenty Thousand Dollars (\$20,000.00) in punitive damages, plus attorneys' fees and costs.

COUNT II-FALSE ARREST

1-14. The Plaintiff, Paul Conner, realleges and incorporates his allegations of Paragraph 1-14 of Count I as his respective allegations of paragraph 1-14 of Count II as though fully set forth herein.

15. The Defendants, P.O. Rodriguez and P.O. John Doe, arrested the Plaintiff, Paul Conner, to cover up their unlawful use of force.

16. The Plaintiff, Paul Conner, was not committing a crime or breaking any laws.

17. There was no probable cause to arrest the Plaintiff, Paul Conner, or take him into custody.

18. The Plaintiff, Paul Conner, spent twenty-nine (29) days in jail.

19. The actions of the Defendants, P.O. Rodriguez and P.O. John Doe, were intentional, willful and wanton.

20. The actions of the Defendants, P.O. Rodriguez and P.O. John Doe, violated the Plaintiff, Paul Conner's, Fourth Amendment Rights of the United States Constitution and were in violation of said rights protected by 42 U.S.C §1983.

21. As a direct and proximate consequence of said conduct of the Defendants, P.O. Rodriguez and P.O. John Doe, the Plaintiff, Paul Conner, suffered a violation of his constitutional rights, emotional anxiety, fear, extreme pain and suffering.

Wherefore, the Plaintiff, Paul Conner, prays for judgment in his favor and against the Defendants, P.O. Rodriguez and P.O. John Doe, jointly and severally, in an amount in excess of Thirty Thousand Dollars (\$30,000.00) in compensatory damages and Twenty Thousand Dollars (\$20,000.00) in punitive damages, plus attorneys' fees and costs.

JURY DEMAND

The Plaintiff, Paul Conner, requests trial by jury.

Respectfully submitted,

Paul Conner,

By: /s/ Gregory E. Kulis
Gregory E. Kulis & Associates, Ltd.

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